

Local Criminal Notice of Appeal Form.

NOTICE OF APPEAL
United States District Court

Southern District of New York

United States v. Grant

Docket No.: 07 Cr. 877 (LTS) (ECF Case)

Laura Taylor Swain

(District Court Judge)

Notice is hereby given that the United States appeals to the United States Court of Appeals for the Second

Circuit from the judgment [], other ☒ order granting the defendant's motion to suppress (specify)

entered in this action on January 2, 2008 (date)

Offense occurred after November 1, 1987 Yes ☒ No ☐This appeal concerns: Conviction only ☐ Sentence only ☐ Conviction and Sentence ☐Date February 1, 2008
TO

Michael J. Garcia, United States Attorney

(Counsel for Appellant)

Address By: Kenneth A. Polite, Assistant U.S. Attorney

One St. Andrew's Plaza

New York, New York 10007

ADD ADDITIONAL PAGE (IF NECESSARY)

Telephone Number: (212) 637-2200

FEB 01 2008

TO BE COMPLETED BY ATTORNEY

TRANSCRIPT INFORMATION - FORM B

QUESTIONNAIRE

☐ I am ordering a transcript
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Reason
☐ Daily copy is available
☐ U.S. Attorney has placed order
☐ Other. Attach explanation

TRANSCRIPT ORDER

DESCRIPTION OF PROCEEDINGS
FOR WHICH TRANSCRIPT IS
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Prepare transcript of _____ Dates _____
☐ Prepare proceedings _____
☐ Trial _____
☐ Sentencing _____
☐ Post-trial proceedings _____

The attorney certifies that he/she will make satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)).

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ATTORNEY'S SIGNATURE

DATE February 1, 2008

COURT REPORTER ACKNOWLEDGMENT

To be completed by Court Reporter and forwarded to
Court of Appeals.

Date order received

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Date _____

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DISTRIBUTE COPIES TO THE FOLLOWING:

1. Original to U.S. District Court (Appeals Clerk).
2. Copy U.S. Attorney's Office.
3. Copy to Defendant's Attorney
4. U.S. Court of Appeals
5. Court Reporter (District Court)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

v. :

TARREL GRANT, :

Defendant. :

- - - - - x

CERTIFICATION

07 Cr. 877 (LTS)

Pursuant to 18 U.S.C. § 3731, I hereby certify that the Government's appeal of the order of the district court dated January 2, 2008, and entered on January 2, 2008 (the "January 2 Order"), granting the defendant's motion to suppress, is not taken for purpose of delay, and that the evidence suppressed pursuant to the January 2 Order is a substantial proof of a fact material in the proceeding.

Dated: New York, New York
February 1, 2008

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:



Kenneth A. Polite
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by certified mail on February 1, 2008, on the following individual:

Robert M. Baum
Federal Defenders of New York
52 Duane Street, 10th Floor
New York, New York 10007
(212) 417-8715

A handwritten signature in black ink, appearing to read 'K. A. Polite', is written over a horizontal line.

Kenneth A. Polite
Assistant United States Attorney